

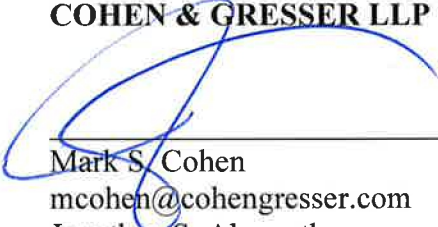
**PLEASE TAKE NOTICE** that, upon the accompanying memorandum of law, the accompanying declaration of Jonathan S. Abernethy dated June 27, 2017, and the exhibits accompanying the declaration of Jonathan S. Abernethy, and upon all prior papers, pleadings and proceedings in this action, defendant Vanja Baros, by his undersigned attorneys, Cohen & Gresser LLP, will move this Court before the Honorable Nicholas G. Garaufis, Courtroom 4D S, at the United States District Court for the Eastern District of New York, on a date and time to be determined by the Court or as soon thereafter as counsel can be heard, for an order pursuant to Fed. R. Civ. P. 12(b)(2) and 12(b)(6) granting (i) dismissal of the Amended Complaint without leave to amend, and (ii) such other and further relief as this Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Court's order on June 5, 2017, answering papers, if any, must be served by July 28, 2017 and reply papers, if any, must be served by August 18, 2017.

Dated: June 27, 2017  
New York, New York

Respectfully submitted,

**COHEN & GRESSER LLP**



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